THE HON'BLE SRI JUSTICE C.V. RAMULU

Friday, 1st September, 2006

W.P.No.18293 of 2006

Between:

Shaik Khadar Babu … Petitioner

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The Revenue Divisional Officer,
Eluru, W.G.District and another … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.18293 of 2006

ORAL ORDER:

This Writ Petition is filed seeking a Mandamus declaring the Proceedings in Roc.No.1283/2006/C dated 4-8-2006 of the 1st respondent as arbitrary and illegal and consequently to direct the respondents to continue the petitioner as fair price shop dealer of F.P.Shop No.60 of Arugolanu village, Tadepalligudem Mandal, West Godavari District.

Under the impugned Proceedings, the authorization held by the petitioner for Fair Price Shop No.60 of Arugolanu village, Tadepalligudem Mandal was suspended pending enquiry into certain allegations made against him. Along with the suspension order, a show cause notice enumerating the charges was also issued to the petitioner. The impugned suspension order also indicates the irregularities committed by the petitioner. *Prima faice,* I am of the opinion that the charges are serious in nature. This Court cannot make interference with such suspension orders while exercising the powers under Article 226 of the Constitution of India. The suspension order is passed not as a measure of punishment. Unless some extraordinary grounds, such as, lack of jurisdiction etc., are made out, no interference can be made. No such grounds are raised by the petitioner. The Writ Petition is, therefore, devoid of merits and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

However, the 1st respondent-Revenue Divisional Officer is directed to conduct enquiry against the petitioner, as contemplated under the impugned Order and complete the same as per law, within a period of six (6) weeks from the date of receipt of a copy of this order.

01-9-2006

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